

# Rockville City Police Department

## GENERAL ORDER



<b>Subject</b> <b>ARREST OF PUBLIC &amp; NON</b> <b>PUBLIC SCHOOL STUDENTS –</b> <b>NOTIFICATION REQUIRED</b>		<b>Procedure</b> <b>G.O. # 4-50</b>
<b>Authorizing Signature</b>	<b>Effective</b> <b>05-25-10</b>	<b>Total Pages</b> <b>4</b>

### I. POLICY

It is important to ensure that the Rockville Police Department adheres to all mandatory notifications practices as outlined by Maryland Code.

### II. PURPOSE

The following General Order outlines the established policy of the Rockville Police Department in ensuring compliance with Maryland Annotated Code Education Article § 7-303.

### III. BACKGROUND

Maryland Annotated Code Education Article § 7-303 mandates the local superintendent or nonpublic school principal be notified of the arrest and charges placed against a student 5 years of age or older and under 22 years of age for certain offenses. This notification of arrest and charges shall occur within 24 hours of the arrest or as soon as practical. Reportable offenses are listed in Section II of this directive.

Maryland Annotated Code Education Article § 7-303 also requires the State's Attorney's Office to promptly notify the local superintendent or nonpublic school principal of the disposition of a reportable offense.

The Student Safety and Support Act, effective June 1, 1995, additionally requires law enforcement agencies to contact the public school superintendent or designee within 24 hours, or as soon as practical, whenever a student under the age of 18 is arrested and charged with certain reportable offenses.

This notification will inform both public and non-public school systems in Montgomery County about students who commit particular crimes, specifically when the crimes might potentially impact the student's status in the school environment.

The reporting responsibilities will require police officers to include particular information in their reports to initiate the notification process.

### IV. REPORTABLE CRIMES

A. Whenever a Maryland public or non-public school student under the age of 22 years of age is

arrested and charged with any of the following crimes, the appropriate school district superintendent or designee (or principal of a nonpublic Montgomery County school) shall be notified of the charges within 24 hours or as soon as practicable after the arrest.

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B. Reportable offenses listed below include crimes of violence as defined in § 14-101 of the Criminal Law Article and the Student Safety and Support Act (1995). These offenses include:

- First degree murder – CR 2-201
- Second degree murder – CR 2-204
- Manslaughter, except involuntary manslaughter – CR 2-207(a)
- Mayhem
- Maiming, as previously proscribed under former Article 27 §§ 385 and 386 of the Code
- First degree assault – CR 3-202
- First degree rape – CR 3-303
- First degree sexual offense – CR 3-305
- Second degree sexual offense – CR 3-306
- Third degree sexual offense – CR 3-307
- Robbery – CR 3-402
- Robbery with a dangerous or deadly weapon – CR 3-403
- Carjacking – CR 3-405(b)(1)
- Armed carjacking – CR 3-405(c)(1)
- Kidnapping – CR 3-502
- Abduction – CR 3-503
- Carrying or wearing a concealed weapon – CR 4-101
- Carrying or wearing a concealed weapon on school property – CR 4-102
- Wearing, carrying, or transporting a handgun; unlawful use in the commission of a crime – CR 4-203
- Use of an antique firearm capable of being concealed on the person or any handgun in the commission of an act of violence – CR 4-204
- A crime using assault weapons – CR 4-303
- Sale, transfer, etc. of stolen pistol – CR 4-305/CR 4-306
- Restrictions on sale, transfer, and possession of pistols and revolvers – CR 4-306(b)(1)
- Use of a machine gun for crime – CR 4-404
- Use of a machine gun for aggressive purpose – CR 4-405(a)
- Sale of firearms – PS 5-106
- Possession of a regulated firearm by a prohibited person – PS 5-133
- Selling/transferring regulated firearm to a prohibited person – PS 5-134
- Possession, sale, transfer, or disposal of a stolen regulated firearm – PS 5-138
- Knowingly manufacture, transport, possess, control, store, sell, distribute, or use a destructive device; or possess explosive material, incendiary material, or toxic material with intent to create a destructive device – CR 4-503
- A crime using short-barreled rifles and short-barreled shotguns – PS 5-203(a)
- Manufacturing, distributing or dispensing CDS; possession of CDS in a quantity indicative of an intent to manufacture, distribute, or dispense – CR 5-602
- Manufacturing, distributing or possessing a equipment to produce CDS – CR 5-603
- Manufacturing, distributing or possessing equipment to print, imprint, or reproduce an authentic or imitation trademark, or other identifying mark, onto a drug or the container or label of a drug, rendering the drug a counterfeit substance – CR 5-604
- Maintaining a Common Nuisance – CR 5-605
- False prescription for a CDS with intent to distribute the controlled dangerous substance –

CR 5-606

- Possess with intent to distribute a non-controlled substance that the person represents as a controlled dangerous substance – CR 5-617

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- Possess or purchase a non-controlled substance that the person believes is a controlled dangerous substance – CR 5-618
- Using firearms in drug-trafficking crimes – CR 5-621(b)(1)
- Manufacturing, distributing or dispensing CDS; possession of CDS in a quantity indicative of an intent to manufacture, distribute, or dispense in violation of § 5-602, or conspire to commit any of these crimes in a school vehicle, or in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board and used for elementary or secondary education – CR5-627
- Engaging a minor to manufacture, distribute or dispense CDS in a sufficient quantity to indicate intent to distribute the CDS – CR 5-628
- Arson in the first degree – CR 6-102(a)
- Making a false bomb threat – CR 9-504
- Manufacturing, possessing, transporting or placing a device or container labeled as representing a toxic material with intent to terrorize or threaten – CR 9-505
- Threatening an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang – CR 9-802
- Threatening an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang in a school vehicle, or in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board and used for elementary or secondary education – CR 5-803
- The arrest and charges for an offense related to a student's membership in a criminal gang. Maryland Education Article Section § 7-303 (7)(b).

## V. PROCEDURES

### A. Police Officers

When an officer charges someone with one or more of the crimes listed in section II, he/she must determine whether the person is a Montgomery County public or non-public school student under the age of 22 years of age. If so, write "SCHOOL NOTIFICATION CASE" as the first sentence of the report summary, including the name and location of the school attended.

### B. Notification

Upon receipt of an incident report meeting the reporting criteria, the department Crime Analyst will record the following information on a form memo::

- Student name
- School attended
- Police report number
- Reportable offense(s)

The letter will then be faxed to the Director of Security for the Montgomery County School System or the

appropriate principal of a non-public school. A copy of the faxed letter will be retained as part of the case file.

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**CITY OF ROCKVILLE POLICE DEPARTMENT**

**FAX TRANSMISSION SHEET**

**DATE:**

**TO: DIRECTOR OF SECURITY OF MONTGOMERY COUNTY PUBLIC SCHOOLS**

**FAX #:** \_\_\_\_\_ **PHONE #** \_\_\_\_\_

**FROM: ROCKVILLE CITY POLICE DEPARTMENT**

**SUBJECT: STUDENT SAFETY & SUPPORT ACT – REPORTABLE STUDENT ARREST**

**CONFIDENTIALITY NOTICE**

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<b>STUDENT NAME:</b>	
<b>SCHOOL ATTENDED:</b>	
<b>REPORT NUMBER:</b>	
<b>REPORTABLE</b>	
<b>OFFENSES:</b>	